

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

No. CR 19-1991JB

ANTONIO CARRILLO,

Defendant.

UNOPPOSED MOTION TO AMEND CONDITIONS OF RELEASE

Defendant Antonio Carrillo, by and through counsel, hereby moves this Court to modify the conditions of release previously set in this case. Specifically, Defendant states as follows:

1. Defendant is a lifelong resident of New Mexico and does not pose a flight risk.
2. Defendant is sixty-two years old and has not criminal history and is not a danger to the community.
3. Defendant is pending a single count indictment alleging the transmission of a verbal threat by way of a social media account, in violation of 18 U.S.C. § 875(c).
4. On today's date, the parties tentatively agreed to resolve this case by way of the Pretrial Diversion Program (PTD). If, as expected, the Defendant qualifies for and completes the PTD program, he will not be subject to either a felony conviction or a sentence of imprisonment.
5. The parties are in the process of completing Defendant's eligibility for the PTD program and consulting with the U.S. Pretrial Services as to the specific conditions Defendant will be required to satisfy as part of his participation in the PTD program.
6. On July 29, 2019, U.S. Magistrate Judge Jerry H. Ritter informed the parties he would consider amending the conditions of release and authorize the Defendant to reside at his

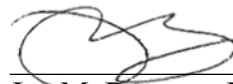
residence, as opposed to the La Pasada Halfway House, pending a review of a yet undisclosed mental health assessment.

7. On July 30, 2019, U.S. Probation Officer Jeffrey Martinez-Spelich, provided undersigned counsel a copy of the completed mental health assessment pertaining to the Defendant. Undersigned counsel disclosed a copy of said assessment to opposing counsel. In summary, the assessment did not disclose or raise any issues or concerns which would support Defendant being required to remain at the La Pasada Halfway House as opposed to being allowed to return to his residence.

8. Opposing counsel, AUSA Jason Wisecup, does not oppose this motion.

Wherefore, based on the foregoing, Defendant Antonio Carrillo respectfully requests that his conditions of release be modified to allow Defendant to return to his residence located at 9 Prairie Hawk Road, Los Lunas, New Mexico, and that he be allowed to reside at his home pending the final processing of his PTD agreement with the government. All other conditions of release, previously imposed in this case and as applicable, will remain in effect.

Respectfully Submitted,



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